UNITED STATES I SOUTHERN DISTI	RICT OF NEW YO	rk.	
KARAKI NAVIGATION,		ī	
	Plaintiff,	ž	07 CV 6161 (NRB)
- against -	•	:	ECF CASE
BUNGE SA,			
	Defendant.	: X	
AFFIDAVIT OF	LAUREN C. DAY	VIES IN SUI	PPORT OF ORDER TO SHOW

AFFIDAVIT OF LAUREN C. DAVIES IN SUPPORT OF ORDER TO SHOW CAUSE WHY COUNTER-SECURITY SHOULD NOT BE POSTED, OR, IN THE <u>ALTERNATIVE, TO VACATE MARITIME ATTACHMENT</u>

STATE OF NEW YORK)	ss: New York
COUNTY OF NEW YORK)	

Ms. LAUREN C. DAVIES, being duly sworn, deposes and says:

- I am a member of the Bar of this Honorable Court and an associate at the firm of Tisdale Law Offices, LLC, attorneys for the Defendant herein.
- 2. I make this affidavit based upon my own personal knowledge and upon information derived from the documents that I believe to be true and accurate.
- 3. I am familiar with the circumstances of this motion and submit this affidavit in support of Defendant's motion for the Plaintiff to show cause why counter-security should not be posted, or, in the alternative, to vacate maritime attachment.
- The action filed on July 2, 2007 in the above-captioned matter under docket number 07 CV 6161 (NRB) names Bunge SA as a defendant.
- 5. Upon information and belief, the Plaintiff is currently restraining funds belonging to Bunge SA in the total sum of \$2,442,959.20.

- 6. The purpose of this Affidavit is to place before the Court documents referred to in the memorandum of law submitted in support of Defendant's motion.
- Attached hereto as Exhibit 1 is a true and correct copy of the Inter-Club New York Produce Exchange Agreement (1996).
 - 8. Attached hereto as Exhibit 2 is a true and correct copy of the Charterparty.
 - 9. Attached hereto as Exhibit 3 is a true and correct copy of the Verified Complaint.
- 10. Attached hereto as Exhibit 4 is a true and correct copy of the Amended Verified Complaint.
- 11. Attached hereto as Exhibit 5 is a true and correct copy of the Answer and Counterclaim of the Defendant.
- 12. Attached hereto as Exhibit 6 is a true and correct copy of the Defendant's Provisional Final Hire Statement dated July 20, 2007.
- 13. Attached hereto as Exhibit 7 is a true and correct copy of the July 11, 2007 letter from Nancy R. Peterson to Thomas L. Tisdale discussing the reduction in security sought.
- 14. Attached hereto as Exhibit 8 is a true and correct copy of the July 18, 2007 letter from Thomas L. Tisdale to Nancy R. Peterson outlining Defendant's counterclaim.

Dated: July 27, 2007 New York, NY

Lauren C. Davies

Sworn and subscribed to before me this 27th day of July, 2007.

Notary Public/Commissioner of the Court

REG NO ØIFI4521277 Qualified in Queens Count

Commission Expires 7/31/2010